



# EMPLOYING PERSONS WITH DISABILITIES IN INDIA: POLICY AND PRACTICE

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## ABSTRACT

It is important to understand the barriers to employment of persons with disability. In spite of all the legislations and policies, there is still a considerable population of individuals with disability who are out of work. Among those who are employed, majority find themselves working as agricultural labourers. It is quite intriguing why so many individuals with disability are still out of work. Over the years, India has marched towards inclusive education and through its policies has ensured a quota system for ensuring employment of individuals with disability. Yet, the results are not very encouraging. It is therefore important to understand the gap between policy and practice.

**KEYWORDS:** Disability, employment, policy and practice.

## INTRODUCTION:

According to International Classification of Impairment, Disabilities and Handicaps (ICIDH) impairment is any loss or abnormality of psychological, physiological or anatomical structure or functions generally taken to be at the organ level. Impairment is damage to tissue due to disease or trauma. Disability has been defined as any restriction or lack of ability (resulting from an impairment) to perform an activity in the manner or within the range considered normal for a human being, generally taken to be at the level of the individual. Disability denotes the consequences of impairment in terms of functional performance and activity by the individual. The ICIDH defines Handicap as a disadvantage for an individual, resulting from an impairment or disability that limits or prevents fulfilment of a role that is normal (depending on age, gender and socio-cultural factors) for that individual.

According to Article 1 of the Convention on the Rights of Persons with disabilities, ratified by India on 1st October, 2007, persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.

[<http://www.un.org/disabilities/default.asp?id=261>]

According to Census 2011, persons with disability form 2.21% of the Indian population. Simply stated, out of a population of 121 crore, 2.68 crore persons have disability in some form or the other.

[[http://mospi.nic.in/sites/default/files/publication\\_reports/Disabled\\_persons\\_in\\_India\\_2016.pdf](http://mospi.nic.in/sites/default/files/publication_reports/Disabled_persons_in_India_2016.pdf)]

## EMPLOYMENT OF PERSONS WITH DISABILITY IN INDIA:

In today's awakened societies, every individual as a potentially useful citizen has his/her unique worth and should be provided with sufficient educational and employment opportunities for his/her maximum growth and development. Education is one of the important factors which helps in making person competent. Education assists persons with disability in developing their senses to its optimal capacity and makes them competent so that they are not considered burdens of the society. Usefulness determines the value of an individual to the society; with proper training and employment, individuals with disabilities can contribute more fully to the economy of the country.

Education and employment are two extremely important factors which contribute towards empowerment of persons with disability. The Census 2011 highlighted that at an all India level, 8.53% of persons with disability were graduates. Still, barely one third of the disabled population is working. However, what is even astonishing is the fact that most of these people, around 31% are engaged as agricultural labourers.

It is important to note that India has adopted 'employment quota approach' to ensure employment of persons with disability. Yet, majority of persons with disability are not employed in any formal sector like government or corporate offices.

The Rights of Persons with Disabilities Act, 2016 which came into effect from 19<sup>th</sup> April, 2017 clearly lays down the quantum of reservation. It states that:-

"In case of direct recruitment in the government job sector, 4 percent of the total number of vacancies in the cadre strength in each group of posts i.e., A, B, C and D shall be reserved for persons with benchmark disabilities under clauses (a), (b) and (c) and 1 percent, for persons with benchmark disabilities under clauses (d) to (e), namely –

- Blindness and low vision,
- Deaf and hard of hearing,
- Locomotor disability including cerebral palsy, leprosy cured, dwarfism, acid attack victims and muscular dystrophy,
- Autism, intellectual disability, specific learning disability, mental illness. and
- Multiple disabilities from amongst persons under clauses (a) to (d) including deafblindness."

[Source: Government Order No. 36035/02/2017 – Estt (Res); Government of India, Ministry of Personnel, Public Grievances & Pensions, Department of Personnel & Training. Retrieved from <http://documents.doptcirculars.nic.in/>]

In spite of all the policies, a gap is clearly evident. Most of the reserved posts lay vacant as persons with disability are not trained to clear the written tests and interviews. This takes us to a pertinent question, is our education system really catering to needs of persons with disability? Another factor that hinders the process of employing persons with disability is the policy of incentives like pensions which prevents parents from sending their wards with disability to the cities for jobs as that would make them lose their incentive ranging to a meagre amount of Rs. 500/- - Rs. 1000/- per month.

Shenoy (2011) concluded that persons with disability face a wide range of barriers to access employment. These can be physiological (health conditions), or educational (Poor levels of schooling or lack of vocational skills). Attitudes of employers, family and the society at large create hurdles for linking persons with disability to employment and government schemes like pension become deterrents to persons with disability to exit employment. These need to be addressed to mainstream employment of persons with disability in India.

Dawn (2012) critically reviewed various employment trends and policy perspectives for persons with disabilities. It was found that though there has been a marked shift in paradigms with regard to their employment facilities, several backlogs and barriers make it imperative to undertake more focused and comprehensive efforts for deriving optimum benefits.

Mehrotra (2013) argued that persons with disabilities have been excluded from the poverty alleviation programme just because of attitudinal and physical barriers. Singh (2014) pointed out that in India 10 – 15 percent of population is having one or more kind of disabilities and they are also largely denied access to economic resources such as job opportunities, sustainable wages, and are also not given chance for self-employment due to several socio-economic and political

barriers. Singh concluded that although the Indian constitution and legislations have provisions for equal rights but disability remains as an axis of social discrimination and inequality. Disabled people get limited opportunities to participate in mainstream social, political and economic activities, thereby having less chances of empowerment.

Baert (2016) evaluated the effectiveness of wage subsidies as a policy instrument to integrate disabled individuals into the labor market. To identify causal effects, a large scale field experiment was conducted in Belgium. The results show that the likelihood of a disabled candidate receiving a positive response to a job application is not positively influenced by disclosing entitlement to the Flemish Supporting Subsidy.

Pallavi and D' Souza (2019) pointed out that a disability is a physical or mental condition that limits a person's movements, senses, or activities. A disability can be permanent or temporary; as well as visible or invisible. People with disability may have the skills that are required in an organization. Inclusive cultures demonstrate organizational practices and goals in which those having different backgrounds are welcomed and treated equally in the organization. Unfortunately not many organizations are welcome to people with disability due to the stigma attached to them. Not all are accepted in organizations. If a person with disability is accepted then the infrastructural issues have to be dealt with. Normally issues like infrastructure, hike in pay scale, etc are not discussed by the employees with disability to the management due to the sole reason of appearing ungrateful. So before one hires the next time, people with disability should be considered because research studies shows that employees with disabilities have average or better attendance, job performance and safety records than their normal counterparts. The next issue to be considered is the facilities like change in infrastructure are to be provided when hiring one. Utilizing the employees with disabilities can be dealt by the technique called job design where the work can be designed by matching impairments with skill requirements. Disability is in the mind. When a person with disability through his skills and talent can strive to come this far then it becomes the responsibility of an employer to provide equal job opportunity with suitable working environment.

#### CONCLUSION:

Research over the years indicates a wide gap between policy and practice. What remains unanswered is the reason for this gap. It is quite evident that the quota system adopted by our country is evidently not a solution to this problem. It is therefore, important to study the practices adopted in other countries to gain an insight into their ways of dealing with employability of persons with disability.

Another problem that needs to be dealt with is the attitudinal barrier at workplace. It is important to sensitise people about the needs of persons with disability. This should be done right from the school level. Inclusive Education should not only remain in paper. Rather, it should be implemented whole heartedly across the schools in the country. It is important to make people with disability come out of their cocoons and lead a life with dignity. Persons with disability are same as any other individual. Even they have the same rights as any other person. Therefore, it is important not to treat them with pity or sympathy. Rather they should be treated as equals. Only good education followed by employment can help them in establishing their position in society.

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